#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)

Serial Number	10/783,598
Confirmation Number	1564
Filing Date	02/20 2004
Title of Application	Systems and Methods for Updating a Query Engine Opcode Tree
First Named Inventor	David Wortendyke
Assignee	Microsoft Corporation
Group Art Unit	2169
Examiner	Yicun Wu
Attorney Docket Number	MS1-2021US
Nature of the Office Communication to which this is responding	Non-Final Office Action
Date of the Office Communication	10/06/2008
Nature of this Document	Response to Non-Final Office Action

To: Commissioner for Patents

P.O. Box 1450

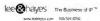
Alexandria VA 22313-1450

From: Jason F. Lindh (Tel. 509-944-4715; Fax 509-323-8979)

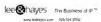
Customer No. 22801

# <u>Brief Summary of Selected Substantive Portions of this</u> <u>Response</u>

**[0001]** In a telephone discussion (on December 10, 2008), the Examiner indicated that there was some confusion regarding the claims addressed in the Office Action mailed October 06, 2008. The Examiner also provided direction regarding the 35 U.S.C. §101 issues raised in the October 6<sup>th</sup> office action. Amendments are presented herein based on the discussion with the Examiner.



**[0002]** This brief summary is not intended to represent the Applicant's full response to the Action. Rather, it is merely a brief summary of selected substantive portions of the response herein.



# **SPECIFICATION AMENDMENTS**

None

# **CLAIM AMENDMENTS**

## **Claim Amendment Summary**

### Claims pending

Before this Amendment: Claims 1-5, 7, 8, 10-15, 19-21, 25-28, 30, 31, 33, 35-37, and 40-43.

After this Amendment: Claims 1-5, 7, 8, 10-15, 19-21, 25-28, 30, 31, 33, 35-37, and 40-43.

Non-Elected, Canceled, or Withdrawn claims herein: None.

Amended claims: Claims 1, 31, and 40-43.

New claims: None.

